

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ALBERT M. MARK,

Plaintiff,

v.

HOPE BAUER, *et al.*,

Defendants.

No. C08-0001RSL

ORDER DENYING PLAINTIFF'S  
MOTION TO VACATE ORDER  
DENYING MOTION FOR  
RECONSIDERATION


On January 15, 2008, plaintiff's motions for default and default judgment were terminated following receipt of defendants' answer. On January 18, 2008, plaintiff submitted a letter requesting a ruling on the default issues, which the Court treated as a motion for reconsideration. After finding that any delay caused by the timing of defendants' response to the complaint was minor, that no prejudice has been shown, that defendants appear to have a substantive defense, and that the public has an interest in resolving this dispute on the merits, the Court declined to enter default. Plaintiff then filed a second motion for default and default judgment, which was denied on February 4, 2008. Plaintiff has now filed a "Motion to Vacate Order Denying Motion for Reconsideration" (Dkt. # 25) in which he again seeks entry of default.

The Court has broad discretion when determining whether default judgment

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1 should be entered or whether a default, once entered, should be set aside. Plaintiff offers no  
2 new justification for his continuing efforts to obtain a default and has now sought the same relief  
3 in four different ways. No default or default judgment will be entered in this case, and  
4 plaintiff's motion to vacate is DENIED. Plaintiff is directed to refrain from duplicative and  
5 repetitious filings.

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7 Dated this 11th day of February, 2008.

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9 Robert S. Lasnik  
10 United States District Judge  
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